

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BINTU KABBA, individually and as parent and natural guardian of O.F.,

Plaintiff,

-against-

MELISSA AVILÉS-RAMOS, in her official capacity as Chancellor of the New York City Department of Education, and NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendants.

1:25-cv-02282 (ALC)

ORDER

ANDREW L. CARTER, JR., United States District Judge:

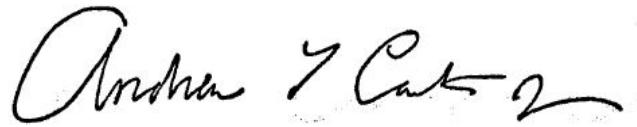
The Court has reviewed the CPSE IEP, dated August 22, 2023 (the “IEP”), ECF No. 19, along with the parties’ joint status report. ECF No. 20. The parties continue to dispute whether the IEP includes nursing services. Accordingly the Court **ORDERS** the parties to brief two questions:

1. Does the IEP explicitly or implicitly include nursing services?
2. If the IEP does not, and considering that IHO Venning’s pendency order references no additional services, what legal authority, if any, permits this Court to grant relief pursuant to 20 U.S.C. § 1415(j) beyond the specific services in the IEP?

Plaintiff shall submit her brief addressing these questions on or before **May 28, 2025**. Defendants shall file a responding brief by **June 3, 2025**.

SO ORDERED.

Dated: May 21, 2025
New York, New York



ANDREW L. CARTER, JR.
United States District Judge